

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

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In re: Jack Dills, Sr. and  
Glenda K. Dills,  
Debtors.

Case No.: 2014-34108-GMH

Chapter 13

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**\*\*\*AMENDED NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Jack Dills, Sr. and Glenda K. Dills have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your Rights May be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Atinsky, Sicula & Teper  
Attorney Terry D. Teper  
135 W. Wells Street, Suite 604  
Milwaukee, WI 53203  
Office: 414-271-8100  
Facsimile: 414-271-8332

You must also mail a copy to:

Atinsky, Sicula & Teper  
Attorney Terry D. Teper  
135 W. Wells Street, Suite 604  
Milwaukee, WI 53203

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is

  **X**   **the Debtors;**  
\_\_\_\_\_ the Chapter 13 Trustee (post-confirmation only);  
\_\_\_\_\_ the holder of an unsecured claim (Name: \_\_\_\_\_ )  
(post-confirmation modification only).

2. This is a request to modify a Chapter 13 Plan:

- A. \_\_\_\_\_ post-confirmation;  
B.   **X**   pre-confirmation;

i.   **X**   Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b);

ii. \_\_\_\_\_ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:

3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Addressing Tax Refunds owed to the plan, plan payments, attorney fees and percentage paid to unsecured creditors.

4. The reason(s) for the modification is/are: Clarification of plan.

5. A. \_\_\_\_\_ The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_  
is modified as follows:

B.   X   The unconfirmed Chapter 13 Plan, is modified as follows:

1. The debtors will retain any net federal and state tax refunds received during the term of the plan.
- \*\*\*2. The debtors will increase the plan payments from \$139.18 bi-weekly to \$209.98 bi-weekly for a term of 60 months.
- \*\*\*3. The debtors' Attorney fees of \$1,500.00 will be paid by Hyatt Legal Services, not through the plan.
- \*\*\*4. The debtors will pay all general unsecured creditors a pro-rata share of \$681.00 or 0.53% whichever is greater.

All remaining terms and provisions of the plan are unaffected unless specifically addressed herein. In the event of a conflict between the original plan and the modification set forth above, the later shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

1. I/We, Jack Dills, Sr. and Glenda K. Dills, the debtor(s) in this case, certify that I/we have reviewed the modification to the Chapter 13 plan proposed in this motion, and I/we authorize my/our attorney to file it with the court.

/s/  
Debtor: Jack Dills, Sr.

3/13/2015  
Date

/s/  
Debtor: Glenda K. Dills

3/13/2015  
Date

OR

2. I, Terry D. Teper, attorney for debtor(s) Jack Dills, Sr. and Glenda K. Dills, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

/s/ Terry D. Teper  
Counsel for the debtor(s)

March 13, 2015  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated at Milwaukee, Wisconsin on March 13, 2015

Atinsky, Sicula & Teper

By: /s/ Terry D. Teper  
Attorney for the Debtors  
State Bar No.: 1011093

Atinsky, Sicula & Teper  
Attorney Terry D. Teper  
135 W. Wells Street, Suite 604  
Milwaukee, WI 53203  
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CERTIFICATE OF MAILING

STATE OF WISCONSIN) ) SS  
MILWAUKEE COUNTY)

Nancy L. Nace, being sworn states that on March 13, 2015, mailed properly enclosed in a postpaid envelope, copy of the **Notice and Request to Modify Chapter 13 Plan**, that was filed with the court, to the following named persons at their proper post office address after their respective names:

Jack Dills, Sr.  
Glenda K. Dills  
3276 N. 46<sup>th</sup> Street  
Milwaukee, WI 53216

**Trustee Mary B. Grossman – via ECF**

**U.S. Bankruptcy Trustee – via ECF**

Subscribed and sworn to before  
me this 13th day of March, 2015.

/s/  
 Attorney Terry D. Teper  
 Notary Public, State of Wisconsin  
 My commission is permanent.

/s/  
 Nancy L. Nace  
 Atinsky, Sicola & Teper  
 135 W. Wells Street. Suite 604  
 Milwaukee, WI 53203  
 414-271-8100